(4) *Separation of Village Panchayats and Agriculture.*

Deputy President.—The next resolution stands in the name of Mr. T. A. Ramachandra Ayyar.

Mr. T. A. Ramachandra Ayyar.—The resolution which I have tabled to move to-day runs as follows:—

'This Council respectfully recommends to the Government that, in view of the necessity to develop the progress of self-government in the State, the Village Panchayats be removed from the supervision of the Superintendent of Agriculture, and either a separate officer be appointed for the supervision of the Panchayats or they may be restored to the control of the Land Revenue Department.'

Separation of the Village Panchayats was the subject of discussion in this Council from the very beginning of the existence of this Council. The Council was equally divided on one or two occasions with regard to the necessity of this separation. All the arguments have been very ably brought forward on either side. Such being the case, I shall only narrate the main points which arise for discussion without going into the details.

To refer to the history of the Panchayats, it was under the Land Revenue Department. Subsequently, a separate officer was appointed to look after the Panchayats, and we are now in the third stage, where Agriculture and Panchayats are combined in the same office. There are now 86 Panchayats lying scattered all over the State, attending to the various needs of the rural population, some of them having civil powers to try cases up to the value of Rs. 100.

One of the main reason for the separation is the present inefficient supervision of the Panchayats. Though I entirely agree that the individual who occupies this office is honest and upright to the very core, the heavy burden of the task falls heavy on him, and the supervision does not become effective, and on this account the very institutions of Panchayats stand sometimes self-condemned. The huge items of lapses of Panchayat allotments every year is a clear indication that the needs are not really understood, and the remedy is not properly applied. The Panchayats have to be made self-contained legal units of administration, and rural reconstruction can be solved only by the development of Panchayats. The powers and duties of the Panchayats are now limited and circumscribed to a large extent, and the time has come for enlarging their spheres of activity by amending the Regulation. Even the present Diwan of Cochin in his *Administration Report of 1100* has

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emphasised this aspect of the question, and all this will only increase the responsibilities of the Head of the Department. There are very many Panchayats which have to be invested with civil powers. I cannot really understand why there was a real absence of the investiture of civil powers during the last 4 or 5 years, especially after the present Superintendent took charge of this office. Can it be that the present officer is averse to any extension of powers, or is it because that he feels that the work is too heavy ?

In the Department of Agriculture, the Central Farm is left in the hands of a junior officer, and I understand that the Superintendent of Agriculture is only like a casual visitor to this institution. Agriculture has to be developed in the country, and intensive cultivation is the only solution for the economic problem of the State. (*Hear, hear.*) This alone will be ample work for an energetic officer, and as such he must not be disturbed by diverting his energies into other channels of administration.

'The Superintendent of Agriculture and Panchayats' is a very long designation, and before the Superintendent traverses the Department of Agriculture, it becomes dark. So he has to work in the Panchayats in darkness.

It is, therefore, preferable to have a separate officer for the Panchayats. If that is found impracticable, since the Revenue Department has got its staff all over the country, it may be placed, as an alternative, under that Department.

Mr. Chakko Cheruvattur.—I second this resolution. This is a point which has been moved by this House from the beginning of its institution. The management of the Panchayat Department to-day is highly unsatisfactory. 'Chemical inspection' of Panchayats by the Chemistry Assistant and 'entomological inquiries ' into petitions by and concerning Panchayats have become the order of the day. At first, when we heard that the Panchayats were inspected by the Chemistry Assistant, it seemed so ridiculous to us. But familiarity makes us tolerate more incongruous and intolerable things. I do not blame the Superintendent for this state of things, because, with a quarter of a dozen Departments under his management, he cannot be expected to wield direct and effective control and management over all these Departments. The management of the Panchayat Department itself gives the utmost dissatisfaction to the public. I will give only one instance. Of the many Panchayats in the Talappalli Taluk, the Choondal Panchayat is one of the most important, consisting of seven members and weilding also judicial functions. This was dissolved, and election of new members

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took place in Chingam 1103 (17th, I think). Nomination of members is pending with the Government for the last full six months. No doubt, there were some petitions. But it is a real pity that the Government has till now refused to recognise the urgency of the situation even after repeated representations. The policy of drifting is not at all commendable in a Government. The people are put to the greatest loss and inconvenience on account of the absence of the Panchayat court. They run to the Munsiff's Court to take out execution of their decrees, because the judgment-debtors threaten to defeat their creditors. But the Munsiff is powerless. He must have the decree transferred to his court for which there is no court. Whatever negligence or tardiness there may be in the discharge of its duties by the Government, when it comes to a matter of losing money by the omissions of the Government to constitute the Panchayat, the people cannot be blamed for becoming furious. Then again, this is the time for submitting budgets for the various Panchayats by the Panchayat members. I think the Superintendent is waiting to see that that time also expires before the nomination is effected. If that is so, then it would be the worst thing that can happen to a Panchayat by the laches of the Superintendent. It would be a Panchayat without any funds next year. What a funny thing it would be! I fear it would come to that, if prompt and immediate action is not taken by the Department.

Similarly, there are several other Panchayats wherefrom very serious complaints are heard. All these can be avoided only if this all-important and useful Department is placed under a separate head.

Again, on account of the manifold duties arising from the several Departments under his management, he appears to be too anxious about the conduct of his subordinates, so much so that he has prohibited the Veterinary Inspectors from going on circuit without receiving a requisition, or something like that, from the localities concerned. The persons requisitioning the attendance of these Inspectors will necessarily have to spend from their pockets. So they hesitate. And the result is that hundreds of cattle died in the Talappalli Taluk itself during the last few months, whereby hundreds of poor cultivators have been ruined. The absence of taking prompt action in keeping in stock sufficient qualities and quantities of drugs have cost us dear in the destruction of large numbers of cattle to our cultivators. Our favourite Central Farm also, I understand, shared in the general loss. I understand that our Central Farm stock has been thinned by this improper management. Therefore, I move the House to vote for this resolution.

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Mr. George Chakkyamuri.—I do not make any suggestion with regard to the future management of our Panchayats, as I believe the matter is engaging the attention of the Special Finance Committee, and you are all aware of the report. What I want to add is that the administration of our Panchayat has been extremely lacking in the past, and, as the Hon'ble Member for Vadakkancheri pointed out, it may not be due to the fault of the Superintendent. It may be because he has got so many duties to attend to, so that he has no time. Whatever be the cause, we have to assert most deliberately that the administration of the Panchayats has been most unsatisfactory in the past. Ever since I was elected as a Member of this Council, I have been receiving complaints upon complaints from the various Panchayats existing in my constituency. If necessary, I shall quote one instance. About 2 years back, the President of the Kumbalangi Panchayat had addressed the Panchayat Superintendent, and he had sent two reminders to the same, and he got a reply to it only some two or three days back, and that to the effect that the original cover has been received. If things are moving on at this rate, I cannot understand how it can be of any use to the subjects of our State. In fact, there is considerable delay in regard to the sending of the estimates and in inspecting the work carried out, and I think I have tabled some questions, and it has not been answered. With these observations, I respectfully submit that the Department ought to be more brisk in carrying on the works of the various Panchayats in the State.

Mr. N. Padmanabha Menon.—Sir, I support the resolution. It would have been much better had the latter portion of this resolution, viz., "or it may be restored to the control of the Land Revenue Department" been omitted. I am one of those who think that the Panchayat Department should be a separate Department, and it should not be combined either with Agricultural or with the Land Revenue Department. There are two reasons why the separation should be effected immediately. The first reason, as has been made clear in the budget session of this Council on a previous occasion, is that the present incumbent, the Superintendent of Agriculture and Panchayats, could not cope with the work of the two Departments together. It is not necessary to enumerate all the reasons for this, and all the defects, both of omission and commission, on account of this combination of duties in one officer. I am of opinion that only, if this separation is effected, the real idea underlying the Panchayat Regulation could be carried out. If we go through the Panchayat Regulation, it can be seen that most of the objects for which the Panchayat Department was created have not been

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carried out. There are sections in it under which the Panchayats could be entrusted with rural sanitation, Primary education and so many other subjects. These works can be carried out only if the two Departments are separated. We should keep up the efficiency of the Department and try to develop it. To bring the ideals of the Regulation into force, it is absolutely necessary to separate the two Departments. There is no use in tackling it with the Agricultural Department or with the Land Revenue Department.

Deputy President.—Have you got anything to say in the matter, Mr. Raman Menon ?

Mr. I. Raman Menon.—Sir, the question of the separation of the Panchayats from the Agriculture Department, as stated by the Hon'ble the Mover himself, has been engaging the attention of the Government. At the time of the last budget session, it was stated that the whole question was engaging the attention of the Special Finance Committee, and that final orders will be issued on the matter after the receipt of the report of the Special Finance Committee ; so that I do not think I have anything more to say on the subject regarding the separation of the Panchayats from Agriculture.

Mr. A. K. Vengu Ayyar.—The matter is receiving the attention of the Special Finance Committee, and the decision by the Government can be arrived at only on receiving their report.

Mr. M. K. Raman.—Sir, I am supporting this resolution. The Hon'ble Member for Vadakkancheri referred to a certain incident in Choondal. Regarding that, I may say a word. I know, in respect of that nomination, there was a lot of dispute between certain sections of the people, and the matter, even now, is pending before the Government. I do not know how far the Hon'ble Member for Agriculture and Panchayats is responsible for the delay. But still I would like to support this resolution. I believe that the Hon'ble Member for Agriculture and Panchayats is now over-burdened with work, and the Panchayat Department which requires a full-timed officer is not perhaps receiving adequate attention on account of the present excessive work. It will be better to keep it under a separate officer. But at the same time it should not be tacked on to the Revenue Department. I cannot find anything common between the Land Revenue Department and Panchayats. That would be only substituting one evil for another, and it will not be a remedy. If at all another Department is to be tacked, it must be only a minor Department, so that the work may not be heavy. I, therefore, support the resolution, and in supporting it, I wish also to point out that it

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should not be amalgamated with the Land Revenue Department.

Mr. I. Raman Menon.—The Hon'ble Member of Vadakkancheri sent up a deputation complaining about the nomination of certain members. And it was found out, however, that all those allegations were unfounded.

Mr. Chakko Cheruvattur.—I did not refer to any of the allegations. I only referred to the delay.

Mr. George Chakkyamuri.—There are delays in all the Panchayats.

Mr. I. Raman Menon.—And in the meantime, the very same deputation wanted a member of the Ezhuva community. There was another deputation led by the Hon'ble Member for the Ezhuvas.

Mr. K. Raman Menon.—In the face of the assurance given that this question is engaging the attention of the Government, and the decision will be arrived at only after consideration of the report of the Committee, pressing the resolution to a division is not necessary. The question, as to the alternative suggestion of attaching it to the control of the Land Revenue Department, is, in my opinion, not necessary. If at all it is to be separated from the Agricultural Department, it must be placed under a separate officer. There is ample scope for the development and organisation of the Panchayat Department in the State. For that purpose a separate officer is to be appointed. The proposal to transfer it to the control of the Land Revenue Department places it rather in a dubious position. So, in my opinion, I would submit that there should be appointed a separate officer, as the present work of the Agriculture and Panchayat Department under one officer is too onerous to the officer in charge of them.

Deputy President.—Do you want to press it to a division?

Mr. T. A. Ramachandra Ayyar.—Yes, I press it for a division. The opinion of the House may be ascertained.

Mr. A. K. Vengu Ayyar.—But the matter has been referred to the Special Finance Committee.

Mr. C. A. Ouseph.—Which matter has been referred? No matter has been referred to any committee.

Mr. C. Achyuta Menon.—A general report of the Committee has been signed, and seeing the propriety of informing this House, being the President of the Committee, I say that we have recommended the separation of the Panchayat from Agriculture and placing it under a full-timed officer with two well-paid Inspectors to assist him. Pending the consideration of the subject by the Government, may I suggest that this division be not pressed?

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Mr. A. B. Salem.—We have now seen what the report of the Finanec Committee is in the matter, and the Government said that they have to be guided mainly by the tenor of that report. And that is what the Secretary to the Diwan means to say. The President of the Finance Committee says from his chair in the Legislative Council that he has signed it, and it may offend propriety to say it.

Mr. A. K. Vengu Ayyar.—He says he has only signed it.

Mr. A. B. Salem.—If the report has been signed, as the Hon'ble Member for Mulakunnattukavu says, it may not be out of propriety to say it, that they have recommended a full-timed officer. We don't want the point to be missed. We are urging here for the immediate separation of the Agricultural and Panchayat Departments. Let not the point be missed in the mass of reports. Therefore we also wish to point out that the Members of the Finance Committee are also Members of this House, and they are only a smaller body. And the decision of the House will certainly be the decision, which the Government ought to be influenced more by, for they are a larger body. And therefore we press this point of the separation of the Panchayat and Agricultural Departments to a division.

Deputy President.—This resolution will have to be divided into two—appointment of a full-timed officer and the placing of Panchayats under the control of the Land Revenue Department.

Mr. T. A. Ramachandra Ayyar.—I will omit the latter portion.

Mr. C. A. Ouseph.—I would say one word with regard to this matter. As the Hon'ble Member for the Jews said, the Secretary to the Diwan said that the Special Finance Committee made a recommendation. They may be making ever so many recommendations, and many of the recommendations will not be acted upon by the Government. Many of the recommendations of this House have been rejected by the Diwan or by the Government. Then where is the certainty of the recommendations of the Special Finance Committee being accepted by the Government? Therefore let us be sure of our position that this House recommends to the Government that it is absolutely necessary that the Agriculture and Panchayat Departments should be separated. That is the issue. Whether the Special Finance Committee recommends, or whether the Special Finance Committee does not recommend is not a matter with which this House is concerned. Sir, you will be aware that this House passed a resolution recommeding two lakhs of rupees to be set apart, I believe, for a committee to be appointed to look after irrigation. What did the Government do? They rejected it. They did not act upon it.

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Deputy President.—That has nothing to do with this.

Mr.C. A. Ouseph.—It has much to do. We have to make recommendations. But the Government acts against the wishes of this House .

Diwan Bahadur Dr. V. Verghese.—Always with our wishes.

Mr. C. A. Ouseph.—They are acting against the wishes of this House more times than they have acceded to its wishes without any fear of contradiction. An attempt is being made to miss this issue.

Mr. A. Sankara Puduval.—I am speaking individually for myself and not for the party. I agree with the observations made by the Hon'ble Member for Chalakkudi. It is no use waiting for the report of the Finance Committee. If the Finance Committee agrees with the views of the majority of this House, and if the resolution happens to be passed, well and good. Even otherwise, this matter deserves the serious attention of the Government. The question of separating Panchayats from Agriculture proper has previously been brought forward in this House, and the resolution moved on a previous occasion happened not to be rejected, because we were equally divided. Without casting any reflections whatever upon the work of the Agricultural Superintendent, for which I have sufficient justification to speak in appreciative terms, it seems to me that the Panchayats are certainly to be severed from the Department of Agriculture. Our idea is to see that all the powers conferred or proposed to be conferred by the Panchayat Regulation should be conferred upon the Panchayats. They have to be improved, and improvements have to be effected by an officer competent to make the necessary suggestions and carry them out. Agriculture certainly has been ths Superintendent's first love, and upon agriculture he has been devoting all his attention. Panchayats work is perhaps a hand-maid to his main occupation, and inasmuch as it involves the exercise of judicial functions and inasmuch as the present Head of the Department has no judicial training, that is an additional reason why we want this Department to be separated. The Panchayats ought to be governed by an officer possessing legal knowledge. Inasmuch as the latter part of this resolution is proposed to be deleted, the main resolution stands and I hope Hon'ble Members will appreciate the necessity for this separation and vote unanimously for it.

Mr. C. Achyuta Menon.—I propose an amendment that the word 'either' in the 5th line may be omitted.

Mr. A. Sankara Puduval.—The latter portion is proposed to be deleted.

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Deputy President.—You may move it, Mr. Padmanabha Menon.

Mr. N. Padmanabha Menon.—I shall move for an amendment that the latter portion beginning from 'or' and the word 'either' after 'and' may be omitted. It will read like this:—

"This Council respectfully recommends to the Government that, in view of the necessity to develop the progress of self-government in the State, the Village Panchayats be removed from the supervision of the Superintendent of Agriculture and a separate officer be appointed for the supervision of the Panchayats".

Mr. T. A. Ramachandra Ayyar.—I accept the amendment.

Dpeuty President.—I shall put the amendment first.

Mr. N. Padmanabha Menon.—The amendment has been accepted by the mover.

Mr. C. Achyuta Menon.—The resolution as amended may be put to votes.

Mr. K. Achyuta Menon.—We will carry the resolution as amended.

Mr. A. B. Salem,—The Government is not prepared to accept ?

Deputy President.—They cannot say now.

(*The amended resolution was put to the vote and was passed.*)

5. *Nominations to Panchayats by a Standing Committee.*

Deputy President.—The next resolution stands in the name of Mr. Ramachandra Ayyar.

Mr. T. A. Ramachandra Ayyar.—I don't want to move it.

Hence the following resolution was considered to be withdrawn:—

"*This Council recommends to the Government that the right of nominating members to the Panchayats be hereafter exercised by a Standing Committee consisting of three non-officials to be elected by this Council, the Superintendent of Panchayats and another senior official and non-official to be elected by Government*".

(6) *Location of Liquor Shops.*

Deputy President —The next resolution is in the name of Mr. K. T. Mathew.

Mr. K. T. Mathew.—I move:—"This Council recommends to the Government that no liquor shops be located within 2 furlongs of a market, school, place of public worship, hospital, factory, public office and similar places of public resort". This resolution by itself should recommend the purpose

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